

**DECISION
AND
FINDING OF NO SIGNIFICANT IMPACT
MANAGEMENT OF CONFLICTS ASSOCIATED WITH NON-MIGRATORY (RESIDENT) CANADA
GEESE, MIGRATORY CANADA GEESE AND URBAN/SUBURBAN DUCKS IN THE
COMMONWEALTH OF VIRGINIA**

SUMMARY: The Animal and Plant Health Inspection Service, Wildlife Services (hereinafter WS) has completed an Environmental Assessment (EA) (March 1999) that analyzed potential impacts of a proposed program and alternatives to respond to requests to manage conflicts associated with resident and migratory Canada geese and urban/suburban ducks. The damage and/or conflicts affect public and private property, human health and safety, agriculture and natural resources in the Commonwealth of Virginia. WS works cooperatively with Federal, state, and local governments, public and private organizations and individuals to reduce damage and conflicts. Based on a review of the EA, the Eastern Regional Director of Wildlife Services has decided to select the Proposed Action alternative, as described in the EA, and to issue a Finding of No Significant Impact (FONSI). The EA is tiered to the national Wildlife Service program's Animal Damage Control Final Environmental Impact Statement (USDA 1997).

DATES: The proposed action may be implemented 30 days after the date of this notice.

ADDRESSES: The final EA and supporting documentation are available for review by contacting Martin Lowney, State Director, Virginia Wildlife Services program at (804) 739-7739 or by writing to P.O. Box 130, Moseley, VA 23120.

I. BACKGROUND

Need for Action:

Resident Canada Geese:

The term "resident" is used to describe Canada geese that nest in Virginia from March through June, and do not migrate to Canada. Local breeding populations of resident Canada geese in Virginia have been increasing dramatically over the last several years. Wildlife Services receives numerous calls for assistance about resolving damage associated with these resident geese. Resident Canada geese physically damage property, reduce the aesthetic value of property, and create a nuisance from excessive fecal matter and grazing. Geese can create potential human health problems by contaminating water with feces. Geese and ducks threaten aircraft safety, comprising 16% of all damaging bird-aircraft strikes. Resident Canada geese cause damage to agricultural resources with substantial reductions in yield through heavy grazing of pastures and crops. Excessive numbers of resident Canada geese can damage natural resources by causing erosion and by contaminating water with fecal material.

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Migratory Canada Geese:

Migratory Canada geese nest in the arctic and sub-arctic of Canada and migrate to Virginia in late September, returning to Canada in mid-March. Migrant Canada geese primarily cause damage to agricultural grain crops. Migrant geese are a minor source of threat to aviation safety.

Urban ducks:

Urban ducks are of domestic, captive-reared, or semi-wild genetic stock that have been released by humans into urban environments and do not migrate. Ducks carry disease and can cause automobile accidents. Disease threats to humans are similar to resident Canada geese. Urban ducks can spread disease to feral and wild ducks. Ducks reduce aesthetic value of property from excessive fecal material.

History

The WS program works with the Virginia Department of Agriculture and Consumer Services, Virginia Department of Game and Inland Fisheries, and the U.S. Department of Interior, Fish and Wildlife Service (FWS) to manage damage and conflicts involving Canada geese and ducks in Virginia. Due to increasing Canada goose - people conflicts and the dramatically increasing resident Canada goose population in Virginia, the government agencies felt a greater need to coordinate management actions and to change some management actions. One of these actions was the need to provide a new management method (capture and euthanasia) to the public because one method, relocation, was becoming less viable. WS wrote an EA to evaluate a decision to be made on managing damage by Canada geese and urban ducks and to coordinate management actions with other government agencies.

WS wrote a draft EA on managing conflicts associated with resident Canada geese and urban ducks in 1996, solicited public comment through newspaper notices in June and July 1996 and solicited comments through letters to stakeholders in July 1996, and listened to comments and concerns at a focus group meeting in August 1996. A final EA was written in September 1996 and a FONSI signed in January 1997. WS conducted a damage management program on Canada geese and urban ducks in 1997. This program was challenged in June 1998 and the WS agreed to write a new EA.

In September 1998, WS released a new draft EA and solicited public comment through publication of legal notices in four Virginia newspapers. A second solicitation of public comment was published in the Federal Register in October 1998. A final EA was written in March 1999 and the FONSI in April 1999.

Public involvement:

In 1996, WS sent letters soliciting public input on the proposed action to 76 state and Federal agencies, organizations, businesses, and individuals. Notices soliciting public comment were posted in two regional newspapers in June and July 1996, providing for a 30-day public comment period. In August 1996, WS held a focus group meeting to review the EA and solicit comments.

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A Notice of Availability of the 1998 draft environmental assessment was published consistent with APHIS NEPA procedures to allow interested parties the opportunity to obtain and review the document and comment on the proposed management activities. WS had two 30-day comment periods on the 1998 draft EA for this Commonwealth of Virginia Canada goose and urban duck program. The first 30-day comment period was announced in 4 regional newspapers on September 1, 1998. The second 30-day comment period was announced in the Federal Register on October 14, 1998. From the two comment periods, WS received 302 comments including 2 from state agencies, 9 from private organizations, 1 from a business, 163 from children at one school, and 127 from private citizens. These comments were analyzed in the final EA and in a separate Response to Comments document (Appendix 1).

II. DECISION AND RATIONALE

After carefully reviewing the EA and the Response to Comment from comments received during two 30-day comment periods, I believe that the need for action and issues identified in the EA are best addressed by implementing the Proposed Action alternative (Integrated Wildlife Damage Management Program (IWDM)). The EA analyzed four alternatives to address resident Canada goose, migratory Canada goose, and duck damage management in Virginia: a No Action alternative; a Non-lethal Program Only alternative; a Lethal Program Only alternative; and an Integrated Wildlife Damage Management Program (Proposed Action) alternative. Issues used to drive the analysis were identified during the EA process. These included aesthetics, animal welfare, effects on human health and safety and biological impacts of management actions. Additional issues that were considered were: separating goose family groups; effects on human health from consuming waterfowl; specificity of methods by species or situation; impacts on migratory Canada geese; and genetic integrity of species.

Wildlife Services activities will incorporate the actions identified in the Proposed Action alternative. The alternative allows Wildlife Services to provide both technical assistance and direct control services including both nonlethal and lethal management approaches. This will allow the use of practical and effective methods of preventing or controlling damage while minimizing harmful effects of control measures on humans, other species and the environment. Nonlethal methods will be given first consideration in the formulation of each damage management strategy, and will be recommended or implemented when practical and effective before recommending or implementing lethal methods.

Resource owners may request WS conduct direct control activities to alleviate wildlife damage, however, there is a decision making process resource owners must follow to authorize such a request. The decision making process is different for communities (homeowners or businesses), private property resource owners (individual or multiple adjacent properties), and public lands. Homeowner communities have popularly elected Boards and/or officers who make decisions that

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are in the communities best interest. Business communities have their decisions made by a property manager, property owner, building manager, or a board to represent the business communities best interests. Private property resource owners can be an individual and he/she will make a decision which represent his/her best interests. Private property owners can also be multiple adjacent private properties (e.g., unorganized homeowner association) which requires a minimum of 67% of affected waterfront property owners to agree with the direct control decision which will represent their best interest. And public lands usually have decisions made by a single official who is responsible for managing that public land in the best interest of the public.

Memoranda of Understanding signed between WS and Virginia Department of Game and Inland Fisheries (VDGIF), Virginia Department of Agriculture and Consumer Services (VDACS), and Virginia Cooperative Extension Service outline responsibilities and sets forth objectives and goals of each agency for resolving wildlife damage management conflicts in Virginia.

Environmental Consequences:

The IWDM proposed action will not significantly affect aesthetic values. People's opinions on aesthetics differ depending upon their point of view and values. People negatively affected by resident waterfowl will most likely feel the consequences of the proposed action were beneficial. People not negatively affected by resident waterfowl will likely be divided in their opinion. The impact to these individuals will not be significant because the opportunity to view Canada geese and urban ducks in Virginia will not significantly decrease and any localized removals of Canada geese or urban ducks must be approved by those with authority over the property from where the geese or ducks will be removed.

The proposed action will not significantly affect animal welfare. Geese and ducks will be treated humanely during transportation, holding, and processing for human consumption. A minority of people view capture and killing of ducks and geese as inhumane, regardless of the methods used.

The proposed action will not significantly affect human health and safety. Threats of disease and threats to aviation safety will be reduced with implementation of the proposed action.

The proposed action will not significantly affect goose and duck populations or nontarget species. No more than 5% of the resident Canada goose population in Virginia will be removed annually. It is highly likely that WS will actually only remove 0.5 to 1.0 % of the statewide resident Canada goose population. On some specific properties, entire local breeding populations may be targeted. Assuming WS takes 5% of the resident Canada goose population, the total cumulative mortality (including all other mortality such as hunting) would be expected to be 17%. The EA discusses how this would be expected to slow the overall population growth rate but not reduce the population statewide.

Less than 100 migratory Canada geese will be taken annually. This is 0.0016% of the wintering

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population and is not significant.

The statewide impact on urban ducks is insignificant to the wild resource since urban ducks are not biologically or behaviorally migratory waterfowl, and they frequently must depend on man for their survival.

On rare occasions, nontarget bird species may be captured and released unharmed.

Hunters may experience an insignificant indirect impact from reduced hunting opportunities next to urban areas and parks where lethal control was implemented. Hunters may experience a positive indirect impact where harassment activities could cause Canada geese to move into hunting areas. Other potential indirect impacts could include fewer duck and goose eggs for raccoons to eat during spring, but this would be expected to have no impact on raccoons. Migratory populations of mallard ducks and other migratory ducks would be unaffected by the proposed action.

The proposed action will not have a significant impact on economic resources. It is expected that removing geese and ducks would reduce property damage, and reduce costs of aircraft repair and of lost business. Agricultural losses would be reduced which would benefit producers and others. The proposed action would most likely be the most cost effective solution to address the needs for action.

The proposed action will be likely to have a positive, though insignificant, impacts on soil, water, and air quality by reducing erosion, fecal contamination and eutrophication of wetlands, and airborne odors.

A public notice is being published in the Federal Register announcing the availability of this Decision and FONSI. In addition, copies of this Decision and FONSI and the EA are being sent to all parties who commented during any phase of the EA development.

III. COMPLIANCE AND MONITORING

Wildlife Services will continue to formulate a joint strategy for program monitoring, data collection and analysis with VDACS and VDGIF and FWS. The WS program activities will be monitored via periodic coordination with those cooperating agencies.

Normally, according to the APHIS procedures implementing the National Environmental Policy Act (NEPA), individual wildlife damage management actions are categorically excluded (7 C.F.R. 372.5(c), 60 Fed. Reg. 6000, 6003 (1995)). In order to facilitate agency planning and public involvement, streamline program management, and to clearly communicate with the public the analysis of cumulative impacts, we have decided to prepare an EA. The EA, this

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decision and FONSI will be reviewed annually or as needed to ensure conformance with all state and federal agency management plans or other guidelines, current environmental regulations and WS policies. Substantial changes in the scope of this project, or changes in the guidance documents and environmental regulations could trigger the need for further analysis.

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FINDING OF NO SIGNIFICANT IMPACT

A careful review of the Virginia Wildlife Services program EA indicates that there will not be a significant impact on the quality of the human environment as a result of this proposal. Having reviewed the Response to Comments indicates there will not be a significant impact on the quality of the human environment. I agree with this conclusion, and therefore, determine that an Environmental Impact Statement (EIS) will not be prepared. This determination is based on consideration of the following factors which are addressed in the EA:

1. The proposed activities will occur in isolated or localized areas only where a request for assistance is directed to Wildlife Services. The proposed activities are not national or regional in scope.
2. On balance, the impact of the program will be beneficial. Because of the limited intensity of the program, however, the benefits will not be significant.
3. The proposed activities will not significantly affect public health and safety. Any impacts to public health and safety will be beneficial, although not significantly beneficial. The proposed program will likely have a beneficial impact on human health and safety through a reduction in the likelihood of bird aircraft strikes, and disease transmission to humans. The proposed action will likely reduce the disruption of vehicular traffic, attacks on children, and reduce transmission of pathogens to raw and processed foods. The methods used to control resident Canada geese, migratory Canada geese and urban/suburban ducks are highly target specific and are not likely to affect public health and safety.
4. The proposed activities will not have an impact on unique characteristics of the geographic area such as historical or cultural resources, park lands, prime farmlands, wetlands, wild and scenic rivers, or ecological critical areas. The methods proposed for alleviating damages will not be likely to impact these resources.
5. The effects on the quality of the human environment of the proposed activities are not highly controversial. Although some people are opposed to waterfowl damage management, the methods and impacts are not controversial among experts.
6. The possible effects of the proposed activities on the quality of the human environment are not highly uncertain and do not involve unique or unknown risks.

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7. The proposed activities do not establish a precedent for actions with future significant effects or represent a decision in principle about a future consideration. Other states are conducting similar Canada goose damage management programs and have been doing so for years. These Canada goose damage management programs in other states are unique to each state because of different program objectives and means of reaching those objectives; and because of different state, federal, or local government involvement managing Canada goose damage in those respective states.
8. There are no significant cumulative effects identified by this assessment. If WS takes 5%, (high estimate) of the resident Canada goose population, the total cumulative mortality (including all other mortality such as hunting) would be expected to be 17%. Actual WS take is estimated to be 0.5 to 1.0% of the statewide resident Canada goose population. As discussed in the EA, this would be expected to slow the overall population growth rate but not reduce the population statewide.

There are no national cumulative impacts to resident Canada goose populations because resident Canada geese generally live within 25 miles of where they were born, do not migrate except to adjacent states, and will only make short flights of a migratory nature only to avoid extreme winter weather which Virginia usually does not have. This program is directed primarily at resident Canada geese in Virginia. This program has no national cumulative impacts to Canada geese.
9. The proposed activities will not affect districts, sites, highways, structures, or objects listed in or eligible for listing in the National Register of Historic Places nor will it cause a loss or destruction of significant scientific, cultural, or historical resources.
10. The proposed activities will fully comply with the Endangered Species Act of 1973, as amended. The WS program, in coordination with FWS and VDGIF determined that the proposed activities would not affect Federally or State listed threatened and endangered species.
11. The proposed activities will not threaten a violation of Federal, State, or local law or requirements imposed for the protection of the environment. The proposed activity does not violate the Migratory Bird Treaty Act.

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For additional information concerning this decision, please contact Martin Lowney APHIS Wildlife Services, P.O. Box 130, Moseley, VA 23120, (804) 739-7739.

Approved by:

Rich D. Owens
for Gary Larson
Eastern Region Director
Wildlife Services

April 9, 1999
Date

APPENDIX 1

RESPONSE TO COMMENTS

Summary of Substantive Public Comments and Responses

to the

**Draft Environmental Assessment on managing damage associated with Canada geese and
urban ducks in the Commonwealth of Virginia**

A total of 302 comments from state agencies, organizations, a business, and individuals were received on the draft environmental assessment (EA) on managing damage associated with Canada geese and urban ducks in the Commonwealth of Virginia completed in August 1998. These comments were received during two successive 30-day comment periods in September and October 1998. Comments were received in the form of letters, postcards, and form letters.

Public involvement under provisions of the National Environmental Policy Act is intended to gather substantive information and ideas from the public on proposed federal actions in order to help managers make better decisions. The public involvement process is not counting votes supporting or opposing management actions. While quantitative information is gathered and is important in assessing attitudes, that is only part of the information analyzed.

Many comments were statements of opinion registering opposition to or support of the proposed action. Some comments were statements about aesthetics from watching waterfowl, descriptions of damage, or loss of aesthetics because of waterfowl. All responses were reviewed for major issues. Comments addressed a wide range of topics, however, patterns emerged that indicated common points of concern that are summarized below as "Issues". These issues and the program's response to each are discussed below.

Issue 1: Some comments were received questioning risks to human health and safety.

Program response: The risks to human health from Canada goose and urban duck feces are only beginning to be understood because, in part, of recent advances in technology (e.g., DNA fingerprinting). The risk to human health from pathogens originating from waterfowl is believed to be low, however, research is needed to quantify this risk. Risks to human health from waterfowl feces are explained in section 2.1.2 and its subsections of the EA.

Risks to human safety, specifically to aviation, are low. However, while these risks are low, the consequences can be fatal should a plane ingest geese into the engines and crash. At Elmendorf Air Force Base in 1995 Canada geese on the airfield were ingested into two engines of a four engine plane on takeoff resulting in engine failure causing the plane to crash killing 24 people. Risks to human safety, particularly aviation, are further explained in section 2.1.2.5 of the EA.

Issue 2: Some comments were received questioning the biological difference between migratory Canada geese and resident Canada geese.

Program response: Understanding the biology of Canada geese is very complex and the confusion to some of the commentors is noted. Canada geese are comprised of 11 races. Within each race there are populations and these populations are referred to by where they nest. Not all populations or all races migrate. Moreover, some non-migratory races and/or populations of Canada geese from states north of Virginia may temporarily move to Virginia during severe winter weather in some years and these geese soon return to those more northern states when severe winter weather ameliorates. These movements are not migrations though. These many

differences add to the confusion expressed by some of the commentors, especially, since all races of Canada geese have the same general appearance. The EA attempts to explain the differences among some races of Canada geese, especially Section 2.4. There are references in the EA to different populations of Canada geese in Virginia which may aid in understanding differences among Canada goose populations and races, particularly, Ankney 1996, Bellrose 1976, Costanzo 1993, Hestbeck 1995, USDI 1998, and Zielske et al. 1993.

Issue 3: There were some comments questioning the validity of damage some people receive, and doubting the statewide significance of damage.

Program response: There are legitimate concerns about whether Canada geese do commit damage at some locations. For this reason, the WS program asks questions about the reported damage to determine the scope and magnitude of the reported damage and then, determines reasonable and practical solutions to reduce damage with preference given to nonlethal methods. If lethal population management methods are requested or recommended, WS refers to a decision model in Section 5.4.2.2 in the EA to identify appropriate lethal methods. Additionally, if capture and euthanasia are requested or recommended, then, WS will make a site visit to verify damage, ensure some nonlethal methods have been tried and were ineffective to adequately reduce the damage, and to identify the appropriate resource owner who would approve removal of the geese. Section 5.4.2 in the EA describes community based decision making.

Resident Canada geese are distributed statewide in Virginia. This distribution of resident Canada geese in Virginia is because of resident Canada geese being relocated from 1979 through 1997 from urban/suburban areas where resident Canada geese and humans were in conflict to rural areas. Also, growing resident Canada goose populations in the neighboring states most likely contributed to the growth and distribution of resident Canada goose populations in Virginia. Section 2.1.5 and Figure 1 in the EA report where Canada goose conflicts have been reported in Virginia. Also, Table 2 in the EA shows the number of resident Canada geese which have been captured for relocation by county in Virginia to alleviate damage.

Issue 4: Some comments were received about the aesthetic value of Canada geese.

Program response: There are many facets about the aesthetic value of Canada geese. Some commentors reported the beauty of seeing geese fly, listening to them honk, or going to the park to feed the geese. Some commentors described the pleasure they receive from having the geese at their work, home, or neighborhood environment. Some commentors reported the bonds developed with geese at specific locations. Comments were also received from some people wanting to see fewer geese because this would improve the aesthetic quality of their environment through fewer droppings, more green lawns and flowers, less noise from honking, and a greater ability to use grass areas for recreating. WS considered the points of view of all commentors and the public at trying to balance needs, however, this was difficult because the aesthetic value people place on the human environment is so variable. Section 3.1 and its subsection of the EA discuss aesthetics in greater detail.

Issue 5: Many comments were received about the appropriateness of killing geese to solve damage.

Program response: At times nonlethal methods are ineffective at reducing damage because the resident Canada geese have no alternative locations to go to or be relocated to without conflicting with more people. These conflicts are, in part, because of the increasing numbers of resident Canada geese and the exceeding of human tolerance levels by people living with the geese on the same property. The WS program recognizes some people will not approve of lethal methods, that some will approve of lethal methods after nonlethal methods were unsuccessful, and that some people will want lethal methods used immediately to reduce damage.

Lethal methods are effective at reducing damage, in part, because the magnitude of the damage is proportional to the number of geese living on a property or set of properties. Thus, reducing the number of resident Canada geese at a particular property does reduce the amount of damage at a specific site. Where appropriate, WS recommends lethal methods to reduce damage. It is the resource owners decision to accept, reject, or seek modification of the WS recommendation.

Issue 6: There were comments received about the humaneness of methods used to kill geese.

Program response: The WS program is very concerned about the humaneness of methods used to kill geese. Peoples' values vary in their individual interpretations of which methods are humane and this makes addressing the issue of humaneness complex and difficult to answer without upsetting some people. Some comments were received saying the killing of wildlife by any method is wrong or inhumane. Other comments were received saying the killing of geese by a meat processor (butcher) and donation to charity was an appropriate use of the geese. WS attempts to employ the most current and professional trapping methods available to ensure the greatest level of humaneness possible when dealing with the capture of Canada geese.

Issue 7: Some comments were received about the effect of killing geese on goose family units.

Program response: Geese and ducks will readily get new mates and raise goslings and ducklings if separated from the first mate. Most goslings can survive without their parents by the time resident Canada geese are captured during the molt.

Issue 8: Some comments were received about how relocation of geese was more appropriate than killing geese to reduce damage.

Program response: Relocation of Canada geese or any animal is a complex decision requiring the consideration of many factors. Nielsen (1988) points out the many considerations which should be considered before relocating an animal. For example, the following must be considered before animals can be relocated: the welfare (food, shelter, water, mates) of relocated

animals, the spread of disease and the possibility of causing death to other ducks and geese at the release site, the cost of relocating animals, the likelihood of the relocated animals staying at the release site, and the fairness of relocating problem animals from one location to another where there may be future conflicts with humans or other wildlife. Additionally, state wildlife agencies have management authority over most wildlife in their respective states and the state's laws, regulations, and professional opinion on relocation must be considered.

Issue 9: There were a few comments received inquiring about the impacts of management actions on migratory Canada goose and resident Canada goose populations.

Program response: The impacts on migratory Canada goose populations are insignificant and are a minor part of this wildlife damage management program as discussed in Section 3.5.4 in the EA. Impacts on resident Canada geese are insignificant to the statewide population as discussed in Sections 3.4.1 and 6.4.4.1 in the EA. Impacts on local populations of resident Canada geese at specific locations may result in substantial temporary reductions in abundance, however, with time new geese will colonize these local ponds so long as the habitat is available.

Issue 10: A comment was received asking about the impacts of the wildlife damage management program on other wildlife species.

Program response: The methods used to capture or kill geese are specific for the target species. On rare occasions, non-target wildlife are captured with the sedative alpha chloralose and released unharmed. Section 6.4.4.2 describes impacts on non-target species. On rare occasions, domestic ducks and geese are captured with panel traps and are released alive unharmed. This wildlife damage management program will have no significant effects on non-target wildlife.

Issue 11: Some comments were received inquiring how people unaffected by resident Canada geese damage could provide input into decisions to be made by resource owners who actually do suffer from such goose damage.

Program response: Organizations and individuals will need to inform resource owners about the aesthetic value they receive from the geese so resource owners can consider and balance their needs against the needs of others before wildlife damage management actions are considered. It will require effort on the part of organizations and individuals to get to know their neighbors in order to influence decisions.

Issue 12: Comments were received about the use of volunteers to manage waterfowl damage.

Program response: Individuals and organizations can volunteer to provide information to resource owners with Canada geese and ducks. An organization in southeast Virginia

commented how they took the initiative to contact resource owners with geese and offered to assist in managing the geese.

Issue 13: Some comments were received about the effectiveness of individual methods at reducing Canada goose damage.

Program response: The effectiveness of individual methods varies by time of year and individual wildlife species. Appendix I in the EA discusses the various methods available to reduce wildlife damage involving ducks and geese, the efficacy of these methods, and the impacts of some of these methods on people and animals.

Issue 14: Some comments were received about using education to teach people to reduce damage or to learn about the geese.

Program response: Education and information is necessary for the public and resource owners to make informed decisions about wildlife damage management instead of less well thought out decisions that could be detrimental to the public and wildlife. Section 5.4.1.2.3 describes the efforts and types of information provided to resource owners so they can make informed decisions about managing Canada goose and urban duck damage.

Issue 15: Some comments were received about allowing the local community to make decisions about the best course of action to reduce or eliminate wildlife damage.

Program response: It is most appropriate for local communities to make informed decisions about how the local community wants to solve a wildlife damage problem. The WS program is a service program with no regulatory authority. Therefore, the WS program works with communities to find solutions to wildlife problems that are effective, reasonable, practical, and minimize environmental impacts. The decision making process used by local communities is described in Sections 5.4.2.1.1; 5.4.2.1.2; and 5.4.2.1.3 in the EA.

Issue 16: There were a few comments received about the safety of eating geese.

Program response: Hundreds of thousands of Canada geese and other geese are eaten annually by people in the United States who legally hunt geese. Moreover, Section 3.5.2 in the EA describes the risks of consuming Canada goose meat.

Issue 17: Some comments were received asking why public money is being used to kill wildlife.

Program response: No federal funds appropriated to WS are used in providing direct control activities to alleviate resident Virginia Canada goose and urban duck damage in Virginia. The management of wildlife conflicts is a decision that Congress, state legislatures, and local government must make to determine when and how much public funds will be used to manage wildlife damage, including the use of lethal methods.

Issue 18: Some comments were received inquiring about if it was legal to harass or kill migratory birds, particularly Canada geese.

Program response: Title 50 Code of Federal Regulations Part 21.41 specifically states no permit is necessary to harass migratory birds. The Migratory Bird Treaty Act (MBTA) law prohibits any "take" of migratory birds, except as permitted by the FWS or by federal agencies within the scope of their authority.

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